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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MAR -5 AM 9:40

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge LOPEZ-De Rosas
AKA: Miguel Angel GUTIERREZ

Defendant.

Magistrate Case No.

'08 MJ 0670

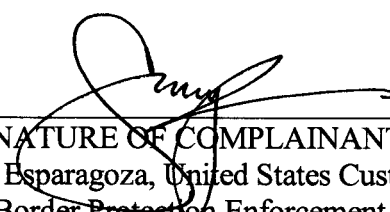
COMPLAINT FOR VIOLATION OF DEPUTY 9/1/08

Title 18, U.S.C., Section 1544
Misuse of Passport

The undersigned complainant being duly sworn states:

On or about **March 4, 2008**, within the Southern District of California, defendant **Jorge LOPEZ-De Rosas AKA: Miguel Angel GUTIERREZ** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting Official U.S. passport number 500028399, issued to Miguel Angel Gutierrez to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not Miguel Angel Gutierrez, that the passport was not issued or designed for his use, and that he is not a United States citizen entitled to a U.S. Passport. All in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th** DAY OF **MARCH** 2008.


UNITED STATES MAGISTRATE JUDGE

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On March 4, 2008, at approximately 5:14 AM, **Jorge LOPEZ-De Rosa AKA: Miguel Angel GUTIERREZ (Defendant)** made application for admission into the United States through the San Ysidro Port of Entry pedestrian lanes. Defendant presented a United States Passport bearing the name Miguel Angel Gutierrez as his entry document. The CBP Officer suspected Defendant was not the lawful owner of the United States Passport presented and escorted Defendant to secondary for further inspection.

During secondary inspection, CBP Officers confirmed Defendant was not the lawful owner of the document presented. Defendant was turned over to the San Ysidro Enforcement Unit for prosecution.

During a video-recorded interview, Defendant was advised of his Miranda Rights, acknowledged his rights and elected to answer questions without the benefit of counsel. Defendant admitted he is a citizen of Mexico with no legal rights or documents to enter the United States. Defendant admitted willfully and knowingly using a United States Passport designated for the use of another person to gain admission into the United States. Defendant stated he obtained the U.S. passport from an unknown male in Tijuana Mexico for the purpose of attempting entry into the United States. Defendant stated he paid \$300.00 USD for the United States Passport. Defendant stated he was going to Los Angeles, California to seek employment and residency.